

Message Text

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ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 IO-03 SSO-00 NSCE-00 NSC-05 INR-05

INRE-00 CIAE-00 PM-03 DODE-00 L-01 H-01 SP-02 OIC-01

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O 161825Z DEC 74

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 9678

INFO USMISSION NATO

AMEMBASSY MOSCOW

AMEMBASSY MADRID IMMEDIATE

C O N F I D E N T I A L GENEVA 7490

C O R R E C T E D C O P Y (LIMDIS CAPTION ADDED PER ORIGINATOR)

LIMDIS

MADRID FOR LOWENSTEIN

E.O. 11652: GDS

TAGS: PFOR, CSCE, XG

SUBJECT: CSCE: CSCE POLICY--HUMAN: CONTACTS: NEW LANGUAGE ON
INTRODUCTION AND MUTUALLY ACCEPTABLE CONDITIONS

REF: GENEVA 7417

1. FURTHER NEGOTIATIONS AMONG FRENCH, NEUTRALS AND SOVIETS
HAVE PRODUCED FOLLOWING TEXT, WHICH SUPERCEDED THAT REPORTED
REFTEL AS BASIS FOR NEGOTIATION OF THIS ISSUE. SOVIETS
AND SEVERAL WESTERN DELS ARE NOW READY TO ACCEPT THIS TEXT,
BUT SWISS REPORTEDLY HAVE RAISED LAST-MINUTE DIFFICULTIES,
CANADIANS HAVE SOME PROBLEMS WITH IT, AND EC-NINE CAUCUS HAS
NOT YET REACHED FINAL DECISION. NEVERTHELESS, SOVIETS, FRENCH
AND SOME OTHER WESTERN DES HOPE THIS TEXT CAN BE "MENTALLY
REGISTERED" DECEMBER 18 AND PROVISIONALLY REGISTERED BY FRIDAY,
DECEMBER 20. US DEL REQUESTS GUIDANCE.

2. BEGIN TEXT--(INFORMAL TRANSLATION FROM THE FRENCH)

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THE PARTICIPATING STATES

(1) CONSIDERING THE DEVELOPMENT OF CONTACTS AS AN ESSENTIAL ELEMENT IN THE STRENGTHENING OF FRIENDLY RELATIONS AND MUTUAL TRUST AMONG PEOPLES,

(2) DESIRING IN THIS SPIRIT TO IMPROVE THEIR EXISTING PRACTICES,

(3) RESOLVED TO DEVELOP, WITH THE PURSUIT OF DETENTE, THEIR EFFORTS WITH A VIEW TO CONTINUING PROGRESS IN THIS AREA,

(4) AND CONSCIOUS THAT SUCH MATTERS SHOULD BE SETTLED BY THE STATES CONCERNED UNDER MUTUALLY ACCEPTABLE CONDITIONS,

(5) ESTABLISH IT AS THEIR OBJECTIVE TO FACILITATE FREER MOVEMENT AND CONTACTS, INDIVIDUALLY OR COLLECTIVELY, PRIVATELY OR OFFICIALLY, AMONG PERSONS, INSTITUTIONS AND ORGANIZATIONS OF THE PARTICIPATING STATES, AND TO CONTRIBUTE TO THE SOLUTION OF HUMANITARIAN PROBLEMS POSED IN THIS FIELD,

(6) TO THESE ENDS THEY DECLARE THEMSELVES RESOLVED TO TAKE APPROPRIATE MEASURES, AS WELL AS TO CONCLUDE, AS NECESSARY, ARRANGEMENTS AMONG THEM, AND EXPRESS THE INTENTION TO APPLY FROM NOW ON THE FOLLOWING: END TEXT

3. IF DIFFICULTIES OF SWISS AND CANADIANS (AND PERHAPS OTHERS) CAN BE OVERCOME, WE WOULD PLAN TO GO ALONG WITH "MENTAL REGISTRATION" OF THIS TEXT OR OF SUBSTANTIVELY SIMILAR LANGUAGE. AT THE SAME TIME, UNLESS OTHERWISE INSTRUCTED, WE WOULD PROPOSE TEMPORARILY TO BLOCK MORE FORMAL PROVISIONAL REGISTRATION UNTIL AFTER CHRISTMAS RECESS. THIS ACTION WOULD BE OPPOSED BY THE SOVIETS, WHO ARE PUSHING HARD TO HAVE TEXT REGISTERED BEFORE HOLIDAY BREAK, AND PERHAPS ALSO BY FRENCH AND SOME OTHER ALLIED DELEGATIONS.

4. IN ANSWERING ANY CRITICISM OF OUR ACTION, WE WOULD POINT OUT THAT DELEGATION FINDS THIS AN ACCEPTABLE PAPER AND CAN THEREFORE AGREE TO ITS MENTAL REGISTRATION. HOWEVER WE REGARD IT AS AN IMPORTANT TEXT, BELIEVE IT CONFIDENTIAL

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SHOULD BE CONSIDERED CAREFULLY BY OUR AUTHORITIES, AND HEREOF WISH TO DELAY PROVISIONAL REGISTRATION TO PERMIT TIME FOR SUCH CONSIDERATION. WE WOULD INDICATE THAT THERE HAVE BEEN AMPLE PRECEDENTS IN THE PAST FOR SUCH ACTION IN ORDER TO GIVE AUTHORITIES IN CAPITALS AMPLE TIME TO REVIEW IMPORTANT ISSUES.

5. IN CONSIDERING ABOVE TEXT, DEPARTMENT SHOULD BEAR

IN MIND FACT THAT, BECAUSE PHRASE "MUTUALLY ACCEPTABLE
CONDITIONS" APPEARS IN PARA 46 OF HELSINKI BLUE
BOOK, ALLIES HAVE NOT WISHED TO CHALLENGE SOVIET INSIS-
TENCE THAT AGREEMENTS SHOULD APPEAR IN SOME FORM IN
HUMAN CONTACTS INTRODUCTORY TEXT. HOWEVER, THEY
HAVE INSISTED THAT LANGUAGE FINALLY AGREED SHOULD NOT
BE OPEN TO CLEAR INTERPRETATION THAT STAGE II EXTENSIONS
COULD NOT BECOME OPERATIVE UNTIL SUPPLEMENTED BY
BILATERAL AGREEMENTS. WE BELIEVE ABOVE TEXT MEETS
THIS CONDITION BECAUSE LAST PHRASE OF ITS SIXTH PARA-
GRAPH EXPRESSES INTENTION OF PARTICIPANTS TO CARRY
INTO EFFECT CSCE UNDERTAKINGS WITHOUT MAKING THEM
SUBJECT TO FURTHER BILATERAL UNDERSTANDING.
WHILE SOVIETS PREDICTABLY WILL ATTEND TO CONSTRUCTIVE INTRO-
DUCTORY LANGUAGE IN OPPOSITE SENSE, TEXT ITSELF WILL
OFFER LITTLE SUPPORT, WE BELIEVE, FOR ARGUMENT THAT
ITS FURTHER PARAGRAPH CONDITIONS COMMITMENT UNDERTAKEN
IN THE SIXTH. GIVEN ALLIED AND SOVIET ATTITUDES, WE
BELIEVE TEXT IS BEST ATTAINABLE, UNLESS U.S. WISHES TO
MAKE MAJOR ELEVENTH HOUR EFFORT TO IMPROVE IT, THEREBY
PUTTING US IN DIRECT CONFRONTATION WITH SOVIETS. WE
THEREFORE RECOMMEND DEPARTMENT AUTHORIZE US IN DUE
COURSE TO ACCEPT THE TEXT, TOGETHER WITH ANY MINOR,
LAST-MINUTE MODIFICATIONS THAT DO NOT ALTER ITS SUB-
STANTIVE THESIS. IN THIS REGARD DEPARTMENT WILL WISH TO TAKE
INTO ACCOUNT POSSIBLE LEGAL PROBLEMS RAISED BY THIS TEXT AS
DESCRIBED SEPTEMBER. DALE

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